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9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 CHRISTIAN ANTHONY ROMERO,
15 Defendant.
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CASE NO. 2:21-CR-0007-MCE

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: May 20, 2021
TIME: 10:00 a.m.
COURT: Hon. Morrison C. England, Jr.

17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and the above-captioned
19 defendant, by and through his counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status on May 20, 2021.
- 21 2. By this stipulation, defendants now move to continue the status conference until August
22 26, 2021, and to exclude time between May 20, 2021, and August 26, 2021, under Local Codes T2 and
23 T4.
- 24 3. The parties agree and stipulate, and request that the Court find the following:
- 25 a) The grand jury returned an indictment in this case on January 28, 2021. Fourteen
26 defendants are named in the publicly filed indictment. The names of two additional defendants
27 who have not yet been arrested are redacted from the publicly filed indictment.
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1 b) On May 11, 2021, the Court signed an order substituting attorney Kresta Nora
2 Daly as defense counsel for defendant in place of defendant's prior counsel of record. *See* ECF
3 No. 162.

4 c) The government has represented that the discovery associated with this case to
5 date includes approximately 7,401 pages of materials, including investigative reports,
6 photographs, search warrant materials, and other documents, as well as voluminous audio and
7 video recordings and approximately 978 recorded phone calls intercepted pursuant to the Title III
8 wiretap in this case. The government is in the process of copying these materials onto a digital
9 storage device for production to defense counsel in the coming days.

10 d) Counsel for defendant needs additional time to review the voluminous discovery
11 in this case, to conduct independent factual investigation, to research trial and sentencing issues,
12 to consult with her client, and to otherwise prepare for trial.

13 e) Counsel for defendant believes that failure to grant the above-requested
14 continuance would deny her the reasonable time necessary for effective preparation, taking into
15 account the exercise of due diligence.

16 f) The government does not object to the continuance.

17 g) In addition, this case is "complex" within the meaning of 18 U.S.C.
18 § 3161(h)(7)(A), B(ii) [Local Code T2], as this Court previously found in its February 10, 2021
19 Order (ECF No. 103) and subsequent orders.

20 h) Based on the above-stated findings, the ends of justice served by continuing the
21 case as requested outweigh the interest of the public and the defendant in a trial within the
22 original date prescribed by the Speedy Trial Act.

23 i) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
24 et seq., within which trial must commence, the time period of May 20, 2021 to August 26, 2021,
25 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
26 and 18 U.S.C. § 3161(h)(7)(A), B(ii) [Local Code T2] because it results from a continuance
27 granted by the Court at defendant's request on the basis of the Court's finding that the ends of
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1 justice served by taking such action outweigh the best interest of the public and the defendant in
2 a speedy trial.

3 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
4 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
5 must commence.

6 IT IS SO STIPULATED.

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9 Dated: May 12, 2021

PHILLIP A. TALBERT
Acting United States Attorney

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11 /s/ DAVID W. SPENCER
DAVID W. SPENCER
Assistant United States Attorney


12
13 Dated: May 12, 2021

/s/ Kresta Nora Daly
Kresta Nora Daly
Counsel for Defendant
CHRISTIAN ANTHONY ROMERO

16 **ORDER**

17 IT IS SO ORDERED.

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19 Dated: May 17, 2021

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21 MORRISON C. ENGLAND, JR.
22 SENIOR UNITED STATES DISTRICT JUDGE
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